

GUJARAT TECHNOLOGICAL UNIVERSITY**MBA (PM) – SEMESTER – 10 - EXAMINATION – SUMMER - 2017****Subject Code: 4310205****Date: 15/05/2017****Subject Name: Legal Aspects of Pharmaceutical Business****Time: 10.30 AM TO 01.30 PM****Total Marks: 70****Instructions:**

1. Attempt all questions.
2. Make suitable assumptions wherever necessary.
3. Figures to the right indicate full marks.

- Q.1** (a) Distinguish between Contract and Agreement. Explain Classification of Contracts in detail. **07**
- (b) Discuss the rights of a surety against (a) the principal debtor (b) the creditor (c) the co-sureties. **07**
- Q.2** (a) Distinguish between pledge and bailment. Explain the duties of bailor and bailee. **07**
- (b) “The memorandum is the fundamental law or a character defining the objects and limiting the powers of company”. Comment. **07**
- OR**
- (b) “A company is a legal person distinct from its members taken individually or collectively”. Discuss. Briefly state matters in which the courts do not apply this rule of corporate personality. **07**
- Q.3** (a) Define ‘Holder in due course’ and enumerate his rights and privileges under the Negotiable Instrument Act. **07**
- (b) “Hire purchase agreement and contract of sale of goods is one and the same thing.” Comment. **07**
- OR**
- Q.3** (a) Distinguish between a cheque and a promissory note by stating their essential features. **07**
- (b) State whether the following statement is correct: “A sale is contract plus conveyance and creates jus in rem”. **07**
- Q.4** (a) Give provisions relating to establishment composition and functions of the Cyber Appellate Tribunal. **07**
- (b) “A contract of Agency determines the liability and relationship between Employer and Agent”. Analyse. **07**
- OR**
- Q.4** (a) Who can grant a licence to issue Digital Signature Certificates? Give the requirements a person must complete for getting the licence. **07**
- (b) “An agent owes a number of duties to his principal which varies in degree according to the nature of agency”. Comment. **07**
- Q.5** (a) Where and how can a complaint be made? State the jurisdiction of the various redressal agencies in this regard. **07**
- (b) Explain the remedies in case of infringement of Patents. **07**
- OR**
- Q.5** (a) What are the objects of the Consumer Protection Act, 1986? **07**
- (b) Discuss the rights of owners in case of Indian Copyrights Act. 1957. **07**
